

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerard F. Barry et al.

Serial No.: To be Assigned

Filed: December 16, 1999

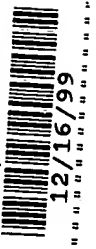
For: GLYPHOSATE-TOLERANT 5-
ENOLPYRUVYLSHIKIMATE-3-
PHOSPHATE SYNTHASES

Group Art Unit: To be Assigned

Examiner: To be Assigned

Atty. Dkt. No.: MOBT:175-2/PAT

#4
jc511 U.S. PTO
09/464099



INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

CERTIFICATE OF EXPRESS MAIL

NUMBER EL392860338US

DATE OF DEPOSIT December 16, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Maria L. Alroy
Signature

This application is a divisional application of Serial No. 09/137,440, filed August 20, 1998 and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/137,440.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Christopher J. Buntel, Ph.D.
Reg. No. 44,573
Agent for Assignee,
Monsanto Company

ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210-4433
(713) 787-1400

Date: December 16, 1999